

Amend CSHB 3893 (house committee report) as follows:

(1) On page 1, line 7, strike "Section 2B(a)" and substitute "Sections 2B(a) and (b)".

(2) On page 1, line 8, strike "is" and substitute "are".

(3) On page 1, line 18, between "public" and "uses", insert "park".

(4) On page 1, between lines 21 and 22, insert the following:

(b) In the event, however, the City of Austin should fail to use the property described in Section 1 or 2A(a)(1) or (2) of this Act for the purpose or purposes designated, that property shall revert to the State as upon breach of condition subsequent, provided, however, that if the exercise of the rights and interests granted to the Capital Metropolitan Transportation Authority under Section 3 of this Act prevents the use of the property for a purpose designated for any period of time during the lease, such failure shall not be a breach of conditions.

(5) On page 2, line 5, between "described" and "in", insert "only".

(6) On page 2, line 10, between "section" and "for", insert "only".

(7) On page 2, line 12, between "any" and "retail", insert "related".

(8) On page 3, line 15, between "described" and "in", insert "only".

(9) On page 3, line 18, strike "as much" and substitute "the minimum amount".

(10) On page 3, line 19, strike "consider necessary" and substitute the following:
reasonably consider necessary:

(A) for a period not to exceed five years from the commencement of construction in connection with the installation of the transportation facilities described by Subsection (b) of this section or the surface ancillary amenities described by Subdivision (5) of this subsection; and

(B)

(11) On page 3, line 20, between "time" and "for", insert

"after the period described by Paragraph (A) of this subdivision".

(12) On page 3, line 20, strike "constructing" and substitute "renovating".

(13) On page 3, line 21, strike "and" and substitute "or".

(14) On page 3, line 25, strike "vehicular" and substitute "maintenance vehicle".

(15) On page 4, line 14, strike "and" and substitute "or".

(16) On page 4, line 15, strike "lines, including" and substitute the following:

lines:

(i) including

(17) On page 4, line 19, strike "equipment;" and substitute the following:

equipment; and

(ii) excluding any substation;

(18) On page 5, strike lines 7 through 14 and substitute the following:

(5) an encroachment easement for the Capital Metropolitan Transportation Authority to install over the surface of the property, for the purpose of providing access to the transportation facilities described by Subsection (b) of this section, surface ancillary amenities compatible with public park uses as follows:

(A) for a period not to exceed five years from the commencement of construction in connection with the installation of the transportation facilities described by Subsection (b) of this section, the right to construct and install aboveground signage, booths, walkways, sidewalks, elevators, stairwells, escalators, awnings, entryways, exits, fences, landscaping, air intakes or exits, trash receptacles, and other public amenities; and

(B) from time to time after the period described by Paragraph (A) of this subdivision, the right to:

(i) maintain, repair, replace, or remove a surface ancillary amenity listed in Paragraph (A) of this subdivision; and

(ii) construct or install fences, landscaping, trash receptacles, and surface ancillary amenities

that are wayfinding in nature, including aboveground signage, booths, and awnings.

(19) On page 5, line 15, between "(d)" and "Each", insert the following:

The Capital Metropolitan Transportation Authority shall, in exercising the Capital Metropolitan Transportation Authority's rights and interests on the surface of the property:

(1) to mitigate and minimize harm to the public park uses, take measures that, at a minimum, comply with 49 U.S.C. Section 303 and 23 U.S.C. Section 138; and

(2) use best efforts to preserve and protect any existing trees that are 24 caliper inches or larger.

(e)

(20) On page 5, line 27, strike "(e)" and substitute "(f)".

(21) On page 6, line 12, strike "(f)" and substitute "(g)".

(22) On page 7, line 2, strike "(g)" and substitute "(h)".